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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,918	05/01/2001	Samuel S. Hii	2000-0296D	3667

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EXAMINER

NGUYEN, LE V

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/846,918	<b>Applicant(s)</b> HII, SAMUEL S.	
	<b>Examiner</b> Le Nguyen	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-39 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: reference character 252, 253 and 254 of page 3. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 7, 9-14, 16, 18-24, 26, 28-32 and 35-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Wynn et al. ("Wynn", US 6,667,751 B1).

As per claim 1, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine, the method comprising the steps of displaying a graphical display element representing a graphical image (fig. 10; col. 9, lines 5-15), detecting a preliminary selection of the graphical display element, responsive to detecting the preliminary selection of the graphical display element, displaying a preview of the graphical

image including at least a partial image of the graphical image (figs. 10, *1101 is a preview of the graphical image*), detecting a final selection of the graphical display element and responsive to detecting the final selection of the graphical display element, displaying the graphical image (col. 9, lines 23-35).

As per claim 2, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the step of displaying a preview of the corresponding graphical image comprises displaying a thumbnail of the corresponding graphical image (figs. 10-11; col. 9, lines 17-22; *thumbnail 1101 corresponds to the Web page/graphical image*).

As per claim 3, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the method comprises the step of preparing a thumbnail of the corresponding graphical image (col. 6, lines 46-51).

As per claim 4, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the step of displaying a preview of the corresponding graphical image comprises displaying a portion of the corresponding graphical image (figs. 10, *1101 is a preview of the graphical image*).

As per claim 5, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the graphical image is a Web page (figs. 10-11; col. 9, lines 17-22; *thumbnail 1101 corresponds to the Web page*).

As per claim 7, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the method comprises, in response to detecting the preliminary selection of the graphical display element, displaying a

textual indication of the content of the graphical image (fig. 10, *element 1102*; col. 9, lines 19-22).

As per claim 9, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the user machine comprises a graphical pointing device, and the final selection of the graphical display element comprises depressing a button of the graphical pointing device while a pointer of the graphical pointing device is over the graphical display element (col. 9, lines 5-8).

Claim 10 is similar in scope to claim 1 and is therefore rejected under similar rationale.

Claim 11 is similar in scope to claim 2 and is therefore rejected under similar rationale.

Claim 12 is similar in scope to claim 3 and is therefore rejected under similar rationale.

Claim 13 is similar in scope to claim 4 and is therefore rejected under similar rationale.

Claim 14 is similar in scope to claim 5 and is therefore rejected under similar rationale.

Claim 16 is similar in scope to claim 7 and is therefore rejected under similar rationale.

Claim 18 is similar in scope to claim 9 and is therefore rejected under similar rationale.

Claims 19 and 20 in combination is similar in scope to claim 1 and is therefore rejected under similar rationale.

Claim 21 is similar in scope to claim 2 and is therefore rejected under similar rationale.

Claim 22 is similar in scope to claim 3 and is therefore rejected under similar rationale.

Claim 23 is similar in scope to claim 4 and is therefore rejected under similar rationale.

Claim 24 is similar in scope to claim 5 and is therefore rejected under similar rationale.

Claim 26 is similar in scope to claim 7 and is therefore rejected under similar rationale.

Claim 28 is similar in scope to claim 9 and is therefore rejected under similar rationale.

As per claim 29, Wynn teaches a method for displaying a plurality of graphical images using a computer having a graphical pointing device comprising the steps of displaying a first graphical image (*e.g. graphical image such as displayed in portion 30 of figs. 3 and 5*), displaying a graphical display element corresponding to a second graphical image (fig. 10; col. 9, lines 5-15), detecting a preliminary selection of the graphical display element corresponding to a second graphical image, responsive to detecting the preliminary selection of the graphical display element corresponding to a second graphical image, displaying a preview of the graphical image including at least a partial image of the second graphical image (figs. 10, *1101 is a preview of the graphical image*), detecting a final selection of the graphical display element and responsive to detecting the final selection of the graphical display element, displaying the graphical image (col. 9, lines 23-35).

As per claim 30, Wynn teaches a method for displaying a plurality of graphical images using a computer having a graphical pointing device comprising the steps of detecting a final selection of the graphical display element corresponding to the second graphical image and responsive to the final detecting selection of the graphical display element, ceasing display of the first graphical image and displaying the second graphical image (fig. 10; col. 6, lines 35-51; col. 9, lines 23-35).

As per claim 31, Wynn teaches a method for displaying a plurality of graphical images using a computer having a graphical pointing device comprising the steps of displaying a graphical element corresponding to the first graphical image, detecting a preliminary selection of the graphical display element corresponding to a first graphical image, responsive to detecting the preliminary selection of the graphical display element corresponding to a first graphical

image including at least a partial image of the first graphical image, detecting a final selection of the graphical display element corresponding to the first graphical image and responsive to detecting the final selection of the graphical display element corresponding to the first graphical image, ceasing display of the second graphical image and displaying the first graphical image in the display (figs. 1, 3, 5, 10 and 11; col. 6, lines 35-51; col. 9, lines 3-35; *i.e. users may toggle between the first and second graphical image via the graphical pointing device and selection of the graphical display element*).

As per claim 32, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine, the method comprising the steps of retrieving a first Web page from the network (fig. 1, 3-5 *and respective portions of the specification*), displaying a graphical display element representing the first Web page, detecting a preliminary selection of the graphical display element, responsive to the preliminary selection of the graphical display element, displaying a preview of the first Web page including at least a partial image of the first Web page (figs. 10-11; col. 9, lines 17-22; *thumbnail 1101 corresponds to the Web page/graphical image*), detecting a final selection of the graphical display element and responsive to detecting the final selection of the graphical display element, displaying the first Web page (col. 9, lines 23-35).

As per claim 35, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the method comprises the step of retrieving and displaying a second Web page, and wherein the step of displaying the first Web page includes replacing the second Web page with the first Web page (fig. 10; col. 6, lines 35-51; col. 9, lines 23-35).

As per claim 36, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the final selection of the graphical display element comprises an actuation of a button while a cursor of a pointing device is over the graphical display element (col. 9, lines 29-35).

As per claim 37, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the method comprises the steps of receiving configuration instructions from a user and configuring the preview according to the instructions (col. 6, lines 46-62).

As per claim 38, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the at least partial image of the first Web page is a cropped image of the Web page (figs. 10, *element 1101*).

As per claim 39, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the at least partial image of the first Web page is a thumbnail image of the Web page (figs. 10, *element 1101*).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



5. Claims 6, 15 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynn et al. ("Wynn", US 6,667,751 B1) in view of Robertson et al. ("Robertson", US 6,486,895).

As per claim 6, although Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the graphical display element is a representation of a control having a position selector and indicator, Wynn does not explicitly disclose the representation to be a tab. Robertson teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the graphical display element is a representation of a tab (fig. 3; col. 6, lines 32-37; col. 11, lines 40-43; *e.g. tabs 313, 318, 319 as well as 320*). Therefore, it would have been obvious to an artisan at the time of the invention to include Robertson's teaching of a tab as a graphical display element to Wynn's teaching of a control as a graphical display element in order to provide users with an alternative or additional implementation preference.

Claim 15 is similar in scope to claim 6 and is therefore rejected under similar rationale.

Claim 25 is similar in scope to claim 6 and is therefore rejected under similar rationale.

6. Claims 8, 17, 27, 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynn et al. ("Wynn", US 6,667,751 B1) in view of Mernyk et al. ("Mernyk", US 6,496,206).

As per claim 8, although Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the user machine comprises a graphical pointing device, and the preliminary selection of the graphical display element comprises placement of a pointer of the graphical pointing device over the graphical

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display element and depressing a button of the graphical pointing device (col. 9, lines 5-8), Wynn does not explicitly disclose that selection is made upon placement of a pointer of the graphical pointing device over the graphical display element without depressing a button of the graphical pointing device. Mernyk teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the user machine comprises a graphical pointing device, and the preliminary selection of the graphical display element comprises placement of a pointer of the graphical pointing device over the graphical display element (fig. 2; col. 4, lines 10-25). Therefore, it would have been obvious to an artisan at the time of the invention to include Mernyk's preliminary selection of the graphical display element comprising placement of a pointer of the graphical pointing device over the graphical display element to Wynn's preliminary selection of the graphical display element comprising placement of a pointer of the graphical pointing device over the graphical display element and depressing a button of the graphical pointing device in order to save time and provide users with a method that does not require an additional action.

Claim 17 is similar in scope to claim 8 and is therefore rejected under similar rationale.

Claim 27 is similar in scope to claim 8 and is therefore rejected under similar rationale.

As per claims 33 and 34, although Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the preliminary selection of the graphical display element comprises a cursor of a pointing device moving/pausing over the graphical display element and depressing a button of the graphical pointing device (col. 9, lines 5-8), Wynn does not explicitly disclose that selection is made upon a cursor of a pointing device moving/pausing over the graphical display element without

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depressing a button of the graphical pointing device. Mernyk teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the preliminary selection of the graphical display element comprises a cursor of a pointing device moving/pausing over the graphical display element (fig. 2; col. 4, lines 10-25).

Therefore, it would have been obvious to an artisan at the time of the invention to include Mernyk's preliminary selection of the graphical display element comprising placement of a cursor of a pointing device moving/pausing over the graphical display element to Wynn's preliminary selection of the graphical display element comprising placement of a cursor of a pointing device moving/pausing over the graphical display element and depressing a button of the graphical pointing device in order to save time and provide users with a method that does not require an additional action.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hearst et al. (US 6,297,824 B1) teach an interactive interface for viewing retrieval results.

### ***Inquires***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lê whose telephone number is (703) 305-7601. The examiner can normally be reached on Monday - Friday from 5:30 am to 2:00 pm (EST).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306 [Official Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

LVN  
Patent Examiner  
February 26, 2004

*Kristine Kincaid*  
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